

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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CREE INC.,

Petitioner,

v.

Case No. 16-cv-1508-pp

BHB ENERGY LLC, and

BHP ENERGY MEXICO S. DE R.L. DE C.V.,

Respondents.

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**ORDER ENJOINING RESPONDENTS, STAYING CASE, REQUIRING  
PETITIONER TO FILE STATUS REPORT AT CONCLUSION OF  
ARBITRATION, AND CLOSING CASE FOR ADMINISTRATIVE PURPOSES**

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The court has resolved all pending motions. It has granted the petitioner's petition to compel arbitration and stay litigation and enjoined any litigation in Mexico arising from the parties' dispute. Dkt. No. 81. It has awarded sanctions against BHP Energy Mexico S. de R.L. de C.V. for evading service. Dkt. No. 86. All that remains is for the court stay the litigation before it, and close the case for administrative purposes while the parties submit their dispute to arbitration.

The arbitrator and the parties can find the relevant orders on the docket, beginning with Magistrate Judge Joseph's order granting the petitioner's petition to compel arbitration and stay litigation with respect to BHB Energy LLC. Dkt. No. 39. Judge Joseph did not separately lay out the terms of the injunction requested in the petition to compel arbitration and stay litigation; this court lays out those terms below.

As noted above, this court granted the petitioner's motion for entry of default judgment against BHP Energy Mexico, and enjoined BHP Energy Mexico from pursuing relief against the petitioner in any litigation or court

proceeding in Mexico arising out of or relating to the parties' distributorship relationship. Dkt. No. 81. At the same time, the court ordered the petitioner and BHP Energy Mexico to proceed with arbitration in the manner provided for in the arbitration agreements. Id. Finally, the court awarded sanctions in favor of the petitioner and against BHP Energy Mexico in the amount of \$106,119.47. Dkt. No. 86.

Consistent with Judge Joseph's order granting the petition to stay against BHB Energy LLC and this court's ruling on BHP Energy Mexico, the court **ENJOINS** BHB Energy LLC and BHP Energy Mexico S. de R.L. de C.V. from pursuing any relief against petitioner Cree, Inc. in any litigation or court proceeding in Mexico arising out of or relating to the parties' distributorship agreement. The court **ORDERS** that for either respondent to pursue relief in litigation or proceedings in courts in Mexico violates the parties' agreement to arbitrate, and would cause immediate harm to the petitioner.

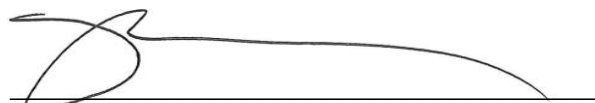
The court **ORDERS** that the proceedings in this court are **STAYED** while the parties submit their dispute to arbitration.

The court **ORDERS** the petitioner to provide the court with a status report within fourteen days of the conclusion of the arbitration.

The court **ORDERS** the clerk of courts to administratively close this case.

Dated in Milwaukee, Wisconsin this 17th day of January, 2019.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**